## OCKET FILE COPY ORIGINAL

ANN BAVENDER' ANNE GOODWIN CRUMP VINCENT J. CURTIS, JR. RICHARD J. ESTEVEZ PAUL J. FELDMAN ROBERT N. FELGAR\* RICHARD HILDRETH FRANK R. JAZZO ANDREW S. KERSTING EUGENE M. LAWSON, JR. HARRY C. MARTIN GEORGE PETRUTSAS RAYMOND J. QUIANZON LEONARD R. RAISH JAMES P. RILEY KATHLEEN VICTORY HOWARD M. WEISS

\* NOT ADMITTED IN VIRGINIA

FLETCHER, HEALD & HILDRETH, P.L.C.

ATTORNEYS AT LAW

11th FLOOR, 1300 NORTH 17th STREET ARLINGTON, VIRGINIA 22209-3801

(703) 812-0400

TELECOPIER

(703) 812-0486

INTERNET

www.fhh-telcomlaw.com

FRANK U. FLETCHER (1939-1985) ROBERT L. HEALD (1956-1983) PAUL D. P. SPEARMAN (1936-1962) FRANK ROBERSON (1936-1961) RUSSELL ROWELL (1948-1977)

EDWARD F. KENEHAN (1960-1978)

CONSULTANT FOR INTERNATIONAL AND INTERGOVERNMENTAL AFFAIRS SHELDON J. KRYS U. S. AMBASSADOR (ret.)

> OF COUNSEL EDWARD A. CAINE\* MITCHELL LAZARUS\* EDWARD S. O'NEILL\* JOHN JOSEPH SMITH

> > WRITER'S DIRECT

March 4, 199RECEIVED

MAR - 4 1999

OFFICE OF THE SECRETARY

703-812-0438 bavender@fnh-telcomlaw.com

VIA HAND DELIVERY

Magalie R. Salas, Esq. Secretary Federal Communications Commission 445 12<sup>th</sup> Street, S.W. Washington, DC 20554

Re: Lovelady, TX

FM Table of Allotments
Petition For Rulemaking

Dear Ms. Salas:

Transmitted herewith, on behalf of Lovelady Broadcasting Company, are an original and four copies of its Petition For Rulemaking requesting allotment of a channel at Lovelady, Texas.

If questions arise, please contact the undersigned attorney.

Sincerely,

Ann Bavender Counsel for

Lovelady Broadcasting Company

**Enclosure** 

No. of Copies rec'd Ust List ABCDE mm B



## Before the FEDERAL COMMUNICATIONS COMMISSION Washington, D.C. 20554

In the matter of	)		
Amendment of Section 73.202(b)	)	MM Docket No.	
Table of Allotments	)		
FM Broadcast Stations	)	RM No	
(Lovelady, Texas)	)		

To: Chief, Allocations Branch

## **PETITION FOR RULEMAKING**

Lovelady Broadcasting Company ("LBC"), by its attorney, hereby requests that the Commission institute a rulemaking proceeding for the purpose of allotting FM channel 282C3 to Lovelady, Texas as Lovelady's first local service. It is proposed to amend Section 73.202(b) of the Commission's Rules, FM Table of Allotments as follows:

<u>City</u>	<u>Channe</u> <u>Present</u>	Number Proposed
Lovelady, Texas		282C3
No change in existing allotments is	requested.	

- 1. If the requested allotment is made, LBC will apply for a construction permit for a new FM station on Channel 282C3 at Lovelady, Texas. If LBC is granted a construction permit, it will promptly construct a new FM station to serve Lovelady, Texas.
- As demonstrated in the attached engineering exhibit, the allotment of
   Channel 282C3 to Lovelady, Texas can be accomplished in compliance with all minimum

mileage separation requirements from LBC's reference site (31-09-51N and 95-27-09W) and from a large area around Lovelady.

- 3. Lovelady, Texas is an incorporated city in Houston County, Texas, with a 1990 census population of 587 persons.
- 4. Allotment of Channel 282C3 will provide Lovelady with its first local aural service and an essential outlet for local expression. Accordingly, the allotment will serve the public interest.

WHEREFORE, for the foregoing reasons, the Commission should initiate a rulemaking proceeding to amend Section 73.202(b) of its rules to allot Channel 282C3 to Lovelady, Texas.

Respectfully submitted, Lovelady Broadcasting Company

By:

Ann Bavender Its Attorney

Fletcher, Heald & Hildreth, P.L.C. 1300 N. 17<sup>th</sup> Street, 11<sup>th</sup> Floor Arlington, Virginia 22209 (703) 812-0400

March 4, 1999

Study for: NEW LOVELADY

Lovelady Broadcasting Company

Search Channel: 282

Class: C3

Latitude: 310951

Longitude: 952709

Call Lotters	Location	Channel	Class	Bearing	Distance(km)	Required(km)	OK/Short
	LOVELADY		1	70.80	4.31		
KGASFM	Carthage	282	A	41.87	145.67	142.00	Close
квнт	Crockett	228	C2	300.61	37.02	17.00	οK
KRBEFM	Houston	281	C	181.80	176.13	178.00	Closo
KOBT	Taylor	282	C2	246.15	200.09	177.00	ок

